

Mr. HATCH. We just do not feel that people on the east coast—I am kidding. Yes.

Mr. SARBANES. Let us make it a trio.

Mr. HATCH. Let us make it 100 of us. We are all serious. The fact of the matter is let us see what we can do to get Senator DOLE to resolve this.

Will the Senator yield for a unanimous-consent request?

Mr. BYRD. Yes.

PROVIDING FOR AN ADJOURNMENT OF THE TWO HOUSES—HOUSE CONCURRENT RESOLUTION 30

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the pending business and turn to the consideration of House Concurrent Resolution Res 30, the adjournment resolution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. HATCH. Mr. President, I ask unanimous consent that concurrent resolution be agreed to and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (H. Con. Res. 30) was agreed to; as follows:

H. CON. RES. 30

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, February 16, 1995, it stand adjourned until 12:30 p.m. on Tuesday, February 21, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 16, 1995, pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon, or at such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, on Wednesday, February 22, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The Senate continued with the consideration of the joint resolution.

Mr. HATCH. I ask that the Senate resume the pending bill.

Mr. BYRD. While the distinguished Senator is making an inquiry of the majority leader, let me just say for the

RECORD that the distinguished Senator from Utah talks about this amendment that is presently before the Senate as having had 14 days of debate.

Mr. HATCH. Will the Senator yield, and I will make a unanimous consent request on the Senator's request, if it is all right?

Mr. BYRD. On the request that we have been discussing, yes.

UNANIMOUS CONSENT AGREEMENT

Mr. HATCH. Mr. President, I ask unanimous consent that the time prior to a motion to table amendment No. 252, the Byrd amendment, be limited to 2 hours to be equally divided, and that no amendments be in order prior to the motion to table. As I understood it, the Senator wanted it after the cloture vote?

Mr. BYRD. Yes. Would the Senator provide for the alternative of amendment No. 256, either/or?

Mr. HATCH. Could the Senator give me a copy of amendment No. 256?

Mr. BYRD. I ask that the clerk state, for the edification of the Senate, amendment No. 256.

The PRESIDING OFFICER (Mr. SMITH). The clerk will report the amendment for the information of the Senate.

The assistant legislative clerk read as follows:

Amendment 256: On page 2, lines 24 and 25, strike "adopted by a majority of the whole number of each House."

Mr. HATCH. Would the Senator agree to bring up the amendment and have the 2 hours, if there are two cloture votes, after the second cloture vote, if necessary?

Mr. BYRD. Yes. I have no desire to interfere with cloture votes.

Mr. HATCH. Then let us add either No. 252 or No. 256 to the request. The Senator will have his choice on amendments.

Mr. BYRD. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. I thank the distinguished Senator.

May I say briefly that I want to yield to Senator PELL for 10 minutes and then I am going to yield the floor.

The distinguished Senator from Utah—and he is a distinguished Senator—has talked about the 14 days that we have spent on this constitutional amendment. Well, so what? The constitutional Framers spent 116 days—116 days in closed session at the Constitutional Convention—116 days. And now we have spent, the Senator said, 14 days. So what? What is 14 days as between us Senators, 14 days to amend the Constitution in a way which can destroy the separation of powers and checks and balances—14 days.

The other body spent all of 2 days on this constitutional amendment. I believe that is right, 2 days. What a joke! Two days in adopting this constitu-

tional amendment. Why, any town council in this country would spend 2 days in determining whether or not it should issue a permit to build a golf course.

Two days to amend the Constitution. I will not say any more than that now.

I ask unanimous consent that I may yield to the distinguished Senator from Rhode Island. He has an ambassador waiting on him in his office. I understand he wishes 10 minutes.

Mr. PELL. Thank you very much.

Mr. HATCH. Reserving the right to object, would the distinguished Senator allow me just a few seconds to just make a closing comment on what the distinguished Senator just said?

Yes, they did spend over 100 days to arrive at the full Constitution, without the Bill of Rights. And we have spent 19 years working on this amendment. This amendment is virtually the same as we brought up in 1982, 1986, and last year. We have had weeks of debate on this amendment. It is a bipartisan amendment. It has been developed in consultation between Democrats and Republicans in the House and in the Senate. It has had a lot of deliberation, consideration, negotiation, and debate on the floor.

Admittedly, I am sure the distinguished Senator from West Virginia would agree that the constitutional convention did not debate this on the floor of the Senate at the time, nor would it have taken that much time had there been a debate on the floor of the Senate. But be that as it may, if it had, we are living today with an amendment that is one amendment to the whole Constitution that, if adopted, would become the 28th amendment to the Constitution.

We have spent 14 days on the floor. I am willing to spend more. I am not complaining, and I do want to have a full and fair debate, but I also believe that we are reaching a point where there is deliberate delay here, not by the distinguished Senator from West Virginia necessarily, but I believe reasonable people can conclude that there is a desire to delay this amendment for whatever purpose that may be and that is the right of Senators if they want to do it.

The majority leader has filed a cloture motion which we voted on today. We had 57 Senators who wanted to end this debate and make all matters germane from this point on. Next Wednesday, we will vote on cloture again. And if there are 60 Senators who vote for cloture, then that will bring a large part of this debate to a closure.

I think I would be remiss if I did not say, on behalf of the majority leader and others on our side who are working hard to move this amendment, that we believe that is a reasonable period of time and we believe that every person here has had a chance to bring up their amendments.

We tried to get to an amendment up last night. We were willing to work